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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,733	04/16/2004	Masataka Shinoda	075834.00485

33448  
ROBERT J. DEPK LEWIS T. STEADMAN  
HOLLAND & KNIGHT LLC  
131 SOUTH DEARBORN  
30TH FLOOR  
CHICAGO, IL 60603

CONFIRMATION NO. 1364  
FORMALITIES LETTER



\*OC00000001309096\*

Date Mailed: 06/28/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

08/05/2004 HLE333 00000061 10826733

01 FC:1051

130.00 OP

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Masataka Shinoda

**Atty. Docket No.** 075834.00485

**Serial No.:** 10/ 826,733

**Group Art Unit:** 2655

**Filed:** April 16, 2004

**Invention:** "OPTICAL RECORDING MEDIUM AND OPTICAL RECORDING AND REPRODUCING METHOD USING THIS OPTICAL RECORDING MEDIUM"

**SUBMISSION OF MISSING PARTS**

Commissioner for Patents  
Alexandria, VA 22313-1450

SIR:

In response to the Notice to File Missing Parts mailed June 28, 2004, Applicant submits an executed Declaration and Power of Attorney as required in the Notice. In addition, Applicant submits a check in the amount of \$130.00 as payment of the surcharge set forth in 37 C.F.R. §1.53(b).

The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-1794.

Respectfully submitted,



(Reg. 17,074)

Lewis T. Steadman  
HOLLAND & KNIGHT LLP  
131 Dearborn Street, 30<sup>th</sup> Floor  
Chicago, IL 60603  
312.422.9050  
312.578.6540 fax



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail on August 2, 2004 in an envelope addressed to:

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# 635590\_v2



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/ 826,733
Filing Date	April 16, 2004
First Named Inventor	Masataka Shinoda
Examiner Name	n/a
Art Unit	2655
Attorney Docket No.	075834.00485

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	50-1794
Deposit Account Name	Holland & Knight LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$ 0.00)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9			Claims in excess of 20
1201 86	2201 43			Independent claims in excess of 3
1203 290	2203 145			Multiple dependent claim, if not paid
1204 86	2204 43			** Reissue independent claims over original patent
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ 0.00)		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	2051 65	Surcharge - late filing fee or oath	130.00	
1052 50	2052 25	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	2251 55	Extension for reply within first month		
1252 420	2252 210	2252 210	Extension for reply within second month		
1253 950	2253 475	2253 475	Extension for reply within third month		
1254 1,480	2254 740	2254 740	Extension for reply within fourth month		
1255 2,010	2255 1,005	2255 1,005	Extension for reply within fifth month		
1401 330	2401 165	2401 165	Notice of Appeal		
1402 330	2402 165	2402 165	Filing a brief in support of an appeal		
1403 290	2403 145	2403 145	Request for oral hearing		
1451 1,510	1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	2452 55	Petition to revive - unavoidable		
1453 1,330	2453 665	2453 665	Petition to revive - unintentional		
1501 1,330	2501 665	2501 665	Utility issue fee (or reissue)		
1502 480	2502 240	2502 240	Design issue fee		
1503 640	2503 320	2503 320	Plant issue fee		
1460 130	1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		
1806 180	1806 180	1806 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 770	2809 385	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))		
1810 770	2810 385	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		
1801 770	2801 385	2801 385	Request for Continued Examination (RCE)		
1802 900	1802 900	1802 900	Request for expedited examination of a design application		

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

(Complete if applicable)

Name (Print/Type)	Lewis T. Steadman	Registration No. (Attorney/Agent)	17,074	Telephone	312-422-9050
Signature				Date	Aug. 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (08-03)  
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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

Application Number	10/ 826,733
Filing Date	April 16, 2004
First Named Inventor	Masataka Shinoda
Art Unit	2655
Examiner Name	n/a
Attorney Docket Number	075834.00485

### ENCLOSURES *(Check all that apply)*

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Post Card</b>
<input type="button" value="Remarks"/>		
<p>The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-1794.</p>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lewis T. Steadman, Holland & Knight LLP 131 South Dearborn Street, 30th Floor, Chicago, IL 60603
Signature	
Date	August 2, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Lewis T. Steadman	(Reg. No. 17,074)
Signature		Date
		August 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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